



Order Filed on July 28, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Robertson, Anschutz & Schneid, PL
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone Number 561-241-6901
Attorneys For Secured Creditor

JUSTIN D. PLEAN, Esq. (JP - 5835)

In Re:

James Walter Lucas

Debtor,

Barbara Jean Lucas

Joint Debtor.

CASE NO.: 16-32586-VFP

CHAPTER 13

HEARING DATE: June 29, 2017
~~March 16, 2017~~ at
11am

JUDGE: Vincent F. Papalia

ORDER VACATING THE AUTOMATIC STAY

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: July 28, 2017



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Page 2

Debtors: James Walter Lucas and Barbara Jean Lucas
Case No.: 16-32586-VFP
Caption of Order: **Order Vacating Automatic Stay**

Upon the motion of Robertson, Anschutz & Schneid, P.L., attorneys for Secured Creditor, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF CBA COMMERCIAL ASSETS, SMALL BALANCE COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-1, under Bankruptcy Code § 362(d)(4) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED as follows:

1. Secured Creditor's Motion for Prospective Relief from Automatic Stay is GRANTED.
2. Based on the facts as presented in this case, the Court finds that a scheme to delay, hinder, and / or defraud Secured Creditor has transpired.
3. The automatic stay imposed by Bankruptcy Code § 362 is terminated as to Secured Creditor's interest in the follow property, located at 376 Avon Avenue, Newark, NJ 07108, and legally described as:

ALL THAT CERTAIN TRACT, LOT AND PARCEL OF LAND LYING AND BEING IN THE CITY OF NEWARK, COUNTY OF ESSEX AND STATE OF NEW JERSEY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY LINE OF SOUTH TWELFTH STREET AND THE SOUTHERLY LINE OF AVON AVENUE; THENCE RUNNING SOUTHERLY ALONG SOUTH TWELFTH STREET ONE HUNDRED FEET; THENCE EASTERLY PARALLEL WITH AVON AVENUE TWENTY ONE HUNDRED FEET TO

THE SOUTHERLY LINE OF AVON AVENUE; THENCE WESTERLY ALONG THAT LINE TWENTY FIVE FEET TO THE POINT AND PLACE OF BEGINNING.

FOR INFORMATION: BEING KNOWN AND DESIGNATED AS LOT NO. 1 BLOCK NO. 2650 IN THE TAX RECORDS OF THE CITY OF NEWARK

4. Pursuant to Bankruptcy Code § 362(d)(4):

If recorded in compliance with applicable State laws governing notices of interests or liens in real property, an order entered under paragraph (4) shall be binding in any other case under this title purporting to affect such real property filed not later than 2 years after the date of the entry of such order by the court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. Any Federal, State, or local governmental unit that accepts notices of interests or liens in real property shall accept any certified copy of an order described in this subsection for indexing and recording.

5. Secured Creditor shall serve this Order on the Debtor(s), any trustee, and any other party who entered an appearance on the motion.

Certificate of Notice Page 4 of 4
 United States Bankruptcy Court
 District of New Jersey

In re:
 James Walter Lucas
 Barbara Jean Lucas
 Debtors

Case No. 16-32586-VFP
 Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 2

Date Rcvd: Jul 28, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2017.

db/jdb James Walter Lucas, Barbara Jean Lucas, 884 Sanford Ave, Irvington, NJ 07111-1510
 aty +Law Offices of Scott J. Goldstein, LLC, 280 West Main Street, Denville, NJ 07834-1233

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2017 at the address(es) listed below:

Betsy Ann Rosenbloom on behalf of Creditor Bayview Loan Servicing, LLC
 brosenbloom@wcmolaw.com
 Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company
 LLC ecmail@mortoncraig.com, mortoncraigecf@gmail.com;mhazlett@mortoncraig.com
 Justin Plean on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY jplean@rasflaw.com,
 bkyecf@rasflaw.com;ras@ecf.courtdrive.com
 Justin Plean on behalf of Creditor The Bank of New York Mellon Trust Company
 jplean@rasflaw.com, bkyecf@rasflaw.com;ras@ecf.courtdrive.com
 Laura M. Eggerman on behalf of Creditor Ditech Financial LLC bkyecf@rasflaw.com,
 gshasa@rasnj.com;bkyecf@rasflaw.com;legerman@rasnj.com
 Miriam Rosenblatt on behalf of Creditor Ocwen Loan Servicing, LLC bkyecf@rasflaw.com,
 mrosenblatt@rasflaw.com
 Scott J. Goldstein on behalf of Debtor James Walter Lucas sjg@sgoldsteinlaw.com,
 cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;G31979@notify.cincompass.com
 Scott J. Goldstein on behalf of Joint Debtor Barbara Jean Lucas sjg@sgoldsteinlaw.com,
 cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;G31979@notify.cincompass.com
 Steven P. Kelly on behalf of Creditor Wilmington Savings Fund Society, Et Al...
 skelly@sterneisenberg.com, bkecf@sterneisenberg.com
 U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov
 William M. E. Powers, III on behalf of Creditor Bayview Loan Servicing, LLC ecf@powerskirn.com
 William M.E. Powers on behalf of Creditor Bayview Loan Servicing, LLC ecf@powerskirn.com
 William M.E. Powers, III on behalf of Creditor Bayview Loan Servicing, LLC ecf@powerskirn.com
 TOTAL: 14